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SYNOPSIS:

Under existing law, a juvenile court may appoint trained volunteers in addition to guardians ad litem in dependency and termination-of-parental-rights proceedings to promote the best interests of children involved in these cases.

This bill would provide for the duties of the unpaid volunteer advocates and prohibit volunteer advocates from performing certain duties.

This bill would allow the juvenile courts to order that the volunteer advocates have access to certain records, reports, and information, and notice of juvenile court hearings and reviews.

This bill would codify and define the role of certain entities supporting local volunteer advocate programs.

This bill would also require certain entities to develop minimum standards and training curricula for the local volunteer advocate programs.

A BILL
TO BE ENTITLED
AN ACT



29 Relating to juvenile courts; to add Section 12-15-304.1
30 to the Code of Alabama 1975, to provide for the appointment,
31 duties, and limitations of unpaid volunteer advocates in
32 dependency and termination-of-parental-rights proceedings; to
33 authorize access to certain records and hearings; to codify
34 and define the role of the state nonprofit entity supporting
35 local volunteer advocate programs, including the development
36 of minimum standards and training curricula; and to provide
37 for the responsibilities of local volunteer advocate programs.

38 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

39 Section 1. Section 12-15-304.1 is added to the Code of
40 Alabama 1975, to read as follows:

41 §12-15-304.1

42 (a) For the purposes of this section, the term "state
43 nonprofit entity" means the current single, statewide
44 nonprofit corporation named Alabama CASA Network, Inc., or its
45 successor entity, that is a 26 U.S.C. § 501(c)(3) organization
46 providing support to local volunteer advocate programs.

47 (b) (1) In a county in which a local volunteer advocate
48 program serves, a juvenile court, pursuant to Section
49 12-15-304(d), may appoint a volunteer advocate in a dependency
50 case because of abuse or neglect or for other reasons pursuant
51 to Section 12-15-102(8) or in a termination-of-parental-rights
52 case to promote the best interests of the child and ensure the
53 child's safety and well-being.

54 (2) A volunteer advocate who has been appointed by a
55 juvenile court shall serve without compensation and may
56 perform the following duties as ordered by the juvenile court:



57 a. Establish and maintain appropriate professional
58 boundaries, avoiding any conflicts of interest or dual
59 relationships with the child or family.

60 b. Uphold confidentiality and respect for the privacy
61 of the child, family, and parties, sharing information only as
62 authorized by law or court order.

63 c. Report any incidents of child abuse or neglect to
64 the appropriate authorities as required by Alabama mandatory
65 reporting laws, and notify the individual over the local
66 volunteer advocate program.

67 d. Gain a clear understanding of the child's needs and
68 circumstances by reviewing records, reports, and information
69 to which the volunteer advocate is granted access through the
70 appointment order or other order issued by the juvenile court
71 as provided in subsection (e), and by interviewing key
72 individuals in the child's life, such as the parents, social
73 workers, teachers, and others involved. This duty is
74 undertaken solely for the purpose of gathering and providing
75 information to assist the juvenile court and shall not be
76 construed to authorize the volunteer advocate to conduct
77 formal investigations or to exercise the powers or duties of
78 law enforcement personnel, prosecuting attorneys or
79 investigators, Department of Human Resources employees, or
80 guardians ad litem.

81 e. Collaborate and coordinate with legal, child
82 welfare, and other partners to support the provision of
83 services ordered by the juvenile court in the case are
84 provided and are in the child's best interests.



85 f. Appear in hearings and reviews of the juvenile court
86 and to provide testimony when requested by the juvenile court.

87 g. If permitted by the juvenile court, provide clear,
88 factual, and objective court reports that include independent
89 information and recommendations regarding the child's best
90 interests. These reports shall be prepared in advance of each
91 hearing or review.

92 h. Maintain regular and meaningful contact with the
93 child, as appropriate to the circumstances of the case and as
94 directed by the juvenile court.

95 i. Advocate for the child's best interests in the
96 community by interfacing with mental health, education, and
97 other relevant systems, subject to confidentiality
98 limitations.

99 (c) A volunteer advocate who has been appointed by a
100 juvenile court shall not do any of the following:

101 (1) Exercise the powers and duties of law enforcement
102 personnel, prosecuting attorneys or investigators, Department
103 of Human Resources' employees, or guardians ad litem, which
104 may include, but not be limited to, any of the following:

105 a. Conducting formal investigations.

106 b. Making placement arrangements for the child.

107 c. Transporting the child.

108 d. Giving legal advice or taking other action that may
109 create the appearance of an attorney representing a child.

110 e. Providing therapeutic counseling.

111 f. Providing professional services to the child or
112 family members.



113 g. Conducting home evaluations or studies.

114 (2) Serve in cases other than dependency and
115 termination-of-parental-rights cases filed in any court,
116 including, but not limited to, child-support and domestic
117 relations cases.

118 (3) Give or accept money or gifts to or from the child,
119 family, caregivers, parents, relatives, or anyone associated
120 with the case.

121 (d) (1) A volunteer advocate appointed by a juvenile
122 court shall be prohibited from having any child or family
123 member involved in the local volunteer advocate program or the
124 juvenile court system in his or her home under any
125 circumstances.

126 (2) All interactions between volunteer advocates and
127 the child shall occur only in approved, professional, and
128 appropriate settings that align with the standards established
129 by the local volunteer advocate program and the juvenile
130 court.

131 (e) The juvenile court, in the volunteer advocate
132 appointment order or a separate order, may authorize the
133 volunteer advocate or an employee of a local volunteer
134 advocate program to inspect some or all of the records,
135 reports, and information specified in Section 12-15-133 and to
136 keep these records, reports, and information confidential.
137 Upon presentation of a copy of the juvenile court order and
138 proper identification, the official custodian of records,
139 reports, and information relating to the child may provide
140 access consistent with applicable law and the order of the



141 juvenile court. In addition, in the juvenile court order, the
142 juvenile court may authorize the volunteer advocate or the
143 employee of the local volunteer advocate program to receive
144 copies of petitions, notices, motions, orders, and decrees in
145 Section 12-15-133(a)(1) only. This section shall not be
146 construed to authorize access to law enforcement records,
147 prosecutorial records, forensic interview records or
148 recordings, or any other records, reports, and information not
149 specified in Section 12-15-133. A volunteer advocate or an
150 employee of a local volunteer advocate program who violates
151 this subsection is subject to the penalties pursuant to
152 Section 12-15-133(g).

153 (f)(1) After a volunteer advocate has been appointed to
154 a case by a juvenile court, notice of all juvenile court
155 hearings and reviews in that case shall be provided to the
156 local volunteer advocate program in the same manner as notice
157 is provided to attorneys and parties in the case. This notice
158 shall continue for the duration of the volunteer advocate's
159 appointment in the case, unless the appointment is terminated
160 or modified by order of the juvenile court.

161 (2) No volunteer advocate or volunteer advocate program
162 shall be made a party to a juvenile court proceeding solely on
163 the basis of this notice pursuant to this section.

164 (g) A volunteer advocate appointed pursuant to this
165 section shall be subject to the provisions of The Volunteer
166 Service Act in Section 6-5-336, including Section 6-5-336(d)
167 providing for immunity from civil liability in any action.

168 (h) The state nonprofit entity shall continue to



169 provide support services to existing and any future local
170 volunteer advocate programs.

171 (i) The state nonprofit entity shall develop minimum
172 standards for local volunteer advocate programs, which shall
173 include, but not be limited to, standards relating to ethical
174 conduct and confidentiality, governance, employee management,
175 volunteer management, and data collection.

176 (j) The state nonprofit entity shall develop in-service
177 training curricula for initial and continuing education of
178 volunteer advocates covering topics and matters that would
179 assist volunteer advocates who are appointed by juvenile
180 courts to promote the best interests of children.

181 (k) All existing and future local volunteer advocate
182 programs shall satisfy all of the following:

183 (1) Be members of the state nonprofit entity as
184 provided in subsection (l).

185 (2) Be responsible for the full range of volunteer
186 advocate management duties, including, but not limited to, the
187 recruitment, screening, training, support, and supervision of
188 volunteer advocates.

189 (3) Ensure that volunteer advocates, governing board
190 members, and employees comply with all policies, plans,
191 procedures, and requirements established by both the state
192 nonprofit entity and the local volunteer advocate program.

193 (4) Conduct in-service training for the initial and
194 continuing education of volunteer advocates, in accordance
195 with the curricula specified in subsection (j).

196 (5) Ensure the proper management and accountability of



197 all local volunteer advocate program funding.

198 (1) In order to be eligible for full membership in the
199 state nonprofit entity, a current or future local volunteer
200 advocate program shall do all of the following:

201 (1)a. Operate as a nonprofit corporation, or operate
202 under an umbrella entity, under the requirements of the
203 Alabama Nonprofit Corporation Law, Chapter 3 of Title 10A.

204 b. Umbrella programs are allowed only if they were in
205 existence on the effective date of this act, and these
206 programs shall designate an individual to oversee the local
207 volunteer advocate program.

208 (2) Enter into a membership agreement with the state
209 nonprofit entity.

210 (3) Have an executive director.

211 (4) Provide assurance that the executive director, or
212 other individual overseeing the local volunteer advocate
213 program, as well as the program's employees and volunteer
214 advocates, are properly screened and adequately trained.

215 (m) At a minimum, each member of the board of
216 directors, employee, and volunteer of the state nonprofit
217 entity, and each member of the board of directors, employee,
218 and volunteer of a local volunteer advocate program shall
219 undergo a criminal history and other background checks and an
220 Alabama Department of Human Resources Child Abuse and Neglect
221 Central Registry Clearance check prior to service or
222 employment.

223 (n) The provisions of Section 45-39-81.02, relating to
224 Lauderdale County; Section 45-45-82, relating to Madison



225 County; Section 45-48-80, relating to Marshall County; and any
226 other local law from which funding may be distributed to a
227 local volunteer advocate program, shall not be superseded by
228 the provisions of this section.

229 (o) Nothing in this section shall be construed to
230 create a private cause of action or a standard of care.

231 (p) The provisions of this section shall complement the
232 provisions of Rule 6 of the Alabama Rules of Juvenile
233 Procedure and Rule 42 of the Alabama Rules of Judicial
234 Administration, both of which relate to the use of volunteers
235 in the Alabama judicial system, except that, in the event of a
236 conflict between the provisions of this section and the rules,
237 the provisions of this section shall control.

238 Section 2. This act shall become effective on June 1,
239 2026.